

MAY 24 2004
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ANNAPOLIS, MD OFFICE
FREDERICK W. GIBB, III
MOHAMMAD S. RAHMANT

May 24, 2004

VIA FACSIMILE

To: Mai
Deposit Accounts
U.S.P.T.O.

Facsimile No.: (703) 872-9306

From: Sean M. McGinn

Facsimile No.: (703) 761-2375

Re: December 31, 2003 Deposit Account Statement
U.S. Patent Application No.: 10/087,925
Our Ref.: NGB.178

Dear Mai:

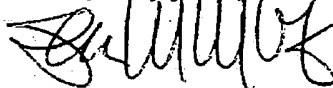
A charge of \$420.00 was erroneously deducted for fee code 1252, extension for response with second month, from our Deposit Account 50-0481 on December 11, 2003.

However, our records show that an Amendment was filed on November 26, 2003, in response to the Non-Final Office Action dated August 27, 2003. Thus, no extension fee was required. Attached is a copy of the cover and last pages of the Amendment and our dated-stamped postcard indicating the timely filing of the Amendment. Therefore, it appears that the \$420.00 was charged in error and should be refunded.

For your convenience, also enclosed is a copy of the December 31, 2003, Monthly Statement of Deposit Account.

Thank you in advance for your consideration on this case.

Very truly yours,



Sean M. McGinn

SMM/yr
Enclosures

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MAY 24 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Takemasa YASUKAWA et al.

Serial No.: 10/087,925

Group Art Unit: 2811

Filed: March 5, 2002

Examiner: Kang, Donghee

For: LIGHT-EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

OFFICIAL

AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Office Action dated August 27, 2003, please amend the above-identified application as follows:

Serial No. 10/087,925
Docket No. T36-143020M/KOH

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REMARKS

Applicant notes that a teleconference was conducted with the Examiner on September 3rd. During the teleconference, the Examiner stated that the case is in condition for allowance, except that he objects to the drawings as not illustrating the features of claim 4. Specifically, the Examiner stated that Figure 1 does not show the feature "*wherein, on the bottom side of said cup-like portion, said sealing member adheres to said surface of said case*". Applicant notes that claim 4 has been amended and is now in condition for immediate allowance.

Claims 1, 4-6, 8-10, 14 and 16-21 are all the claims presently pending in the application. Claims 4 and 19 have been amended to more particularly define the invention. Claims 2-3, 7, 11-13 and 15 have been canceled

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant notes that there are no outstanding rejections of the claims in the Application.

In the Office Action, the Examiner objects the drawings as not illustrating the features of claim 4. However, Applicant respectfully submits that claim 4 has been amended to replace "*wherein, on the bottom side of said cup-like portion, said sealing member adheres to said surface of said case*" with "*wherein said sealing member adheres to said bottom of said cup-like portion*", which is clearly illustrated, for example, in Figure 1.

Applicant notes that Claim 19 was amended to clarify the claim.

Therefore, Applicant respectfully submits that the drawings clearly illustrate all of the claimed features in the present Application. Therefore, all of the claims are in condition for immediate allowance.

In view of the foregoing, Applicant submits that claims 1, 4-6, 8-10, 14 and 16-21, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Serial No. 10/087,925
Docket No. T36-143020M/KOH

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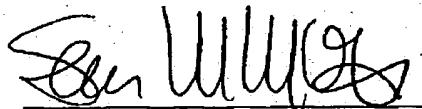
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:

11/26/03



Phillip E. Miller, Esq.
Registration No. 46,060

Reg # 34,386

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8321 Old Courthouse Road, Suite 200
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WN-1852

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Takemasa Yasukawa et al.

Serial No.: 10/087,925

Group Art Unit: 2681

Filed: March 5, 2002

Examiner: Kang, Donghee

For: LIGHT-EMITTING DEVICE

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

ATTENTION: FINANCE DIVISION

Sir:

REQUEST FOR REFUND

A charge of \$420.00 was erroneously deducted for fee code 1252, extension for response with second month, from our Deposit Account 50-0481 on December 11, 2003.

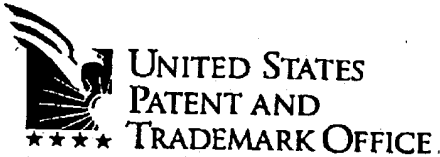
However, our records show that an Amendment was filed on November 26, 2003, in response to the Non-Final Office Action dated August 27, 2003. Thus, no extension fee was required. Attached is a copy of the cover and last pages of the Amendment and our dated-stamped postcard indicating the timely filing of the Amendment. Therefore, it appears that the \$420.00 was charged in error and should be refunded.

Therefore, Applicant respectfully requests that the \$420.00 fee be refunded to Attorney's Deposit Account No. 50-0481. Please credit any overpayment of fees to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,

Date: 5/24/04Sean M. McGinn, Esq.
Reg. No. 34,386

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VIENNA VA 22182-3817

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Page	1

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MS020A (2/2003)

1068.178

Attorney's Post Card Filing Receipt

Serial Number: 10087925

Papers Filed On: 11/26/03

Attorney's Docket Number: 136-143020M/K/S ☒ Patent ☐ TrademarkApplicant's Name: Yasukawa, et al Application Filing Date: 3/5/02
Papers Filed Herewith:

- ☒ Amendment ☐ Request for Extension of Time ☐ CPA Request
- ☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief
- ☐ IDS ☐ 1449 Form w/ Documents ☐ Priority Document(s)
- ☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings
- ☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts
- ☐ Other _____

Fees Filed Herewith: \$ _____ ☐ Check ☐ Charge Deposit Account: _____Hand Delivered